

1 D. EDWARD HAYS, #162507
ehays@marshackhays.com
2 ALINA MAMLYUK, #284154
amamlyuk@marshackhays.com
3 MARSHACK HAYS WOOD LLP
870 Roosevelt
Irvine, California 92620
4 Telephone: (949) 333-7777
5 Facsimile: (949) 333-7778

6 Attorneys for Chapter 11 Trustee
RICHARD A. MARSHACK

7
8 UNITED STATES BANKRUPTCY COURT
9 CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

10 In re
11 THE LITIGATION PRACTICE GROUP P.C.,
12
13 Debtor.
14

Case No: 8-23-bk-10571-SC

Chapter 11

STIPULATION TO MODIFY BRIEFING
SCHEDULE AND TO CONTINUE
HEARING ON MOTION FOR
ALLOWANCE OF ADMINISTRATIVE
EXPENSE CLAIM FILED BY HERRET
CREDIT CONSULTANTS [DK. NO 708]

16 Current Hearing and Response Dates

Hearing Date: April 11, 2024

Trustee's Response Due: March 21, 2024

Reply by Claimant Due: March 28, 2024

Time: 11:00 a.m.

Ctrm: Courtroom 5C

411 West Fourth Street

Santa Ana, CA 92701

21 Proposed Hearing and Response Dates

Hearing Date: June 13, 2024

Trustee's Response Due: May 2, 2024

Reply by Claimant Due: May 9, 2024

Time: 11:00 a.m.

Ctrm: Courtroom 5C

411 West Fourth Street

Santa Ana, CA 92701

26 TO THE HONORABLE SCOTT C. CLARKSON, UNITED STATES BANKRUPTCY JUDGE,
27 THE OFFICE OF THE UNITED STATES TRUSTEE, AND ALL INTERESTED PARTIES:
28

1 This Stipulation (“Stipulation”) is entered into by and between Richard A. Marshack, in his
2 capacity as Chapter 11 Trustee (“Trustee”) of the Bankruptcy Estate (“Estate”) of The Litigation
3 Practice Group P.C. (“Debtor”), and Herret Credit Consultants (“Herret” and together with Trustee,
4 “Parties”) with regard to the following:

5 **RECITALS**

6 A. On March 20, 2023, the Debtor filed a voluntary petition under Chapter 11 of Title 11
7 of the United States Code, initiating bankruptcy Case No. 8:23-bk-10571-SC in the United States
8 Bankruptcy Court for the Central District of California, Santa Ana Division.

9 B. On May 8, 2023, Richard A. Marshack was appointed as the Chapter 11 Trustee of
10 the Estate. Docket No. 65.

11 C. On November 11, 2023, Herret filed a Motion to Allow Claim as administrative
12 expense (“Motion”). Docket No. 708.

13 D. On January 5, 2024, Trustee filed a Motion to Continue Hearing on the motions for
14 allowance of administrative expense claims. Docket No. 816.

15 E. On January 8, 2024, the Court entered an Order granting the Trustee’s Motion to
16 Continue Hearing, continuing the initial hearings on all matters to February 29, 2024, and treating
17 those hearings as status conferences. Docket No. 818.

18 F. On February 15, 2024, Trustee filed an Omnibus Unilateral Report Regarding Status
19 of Motions for Allowance of Administrative Expense Claim Under 11 U.S.C. Section 503(b).
20 Docket No. 940.

21 G. On March 6, 2024, the Court entered a Scheduling Order, setting March 21, 2024, as
22 the deadline for Trustee to respond to any of the motions for allowance of administrative expense
23 claims for a specific group of claimants, including Herret. Docket No. 986.

24 H. Trustee has been diligently investigating and verifying Herret’s administrative claim
25 to verify that all required elements have been satisfied.

26 I. The Parties have engaged in voluntary discovery and have agreed that further
27 communication is necessary between Kyle Herret, principal of Herret, and Trustee’s counsel to
28 substantiate Herret’s administrative claim.

J. Because the current Motion hearing, as scheduled, would not permit the foregoing communication to occur, the Parties agreed to modify the existing briefing schedule and to continue the hearing.

Wherefore, the Parties stipulate as follows:

1. The hearing on the Motion be continued from April 11, 2024, at 11:00 a.m., to June 13, 2024, at 11:00 a.m.¹

2. The deadline for Trustee to file a response to the Motion shall be extended through and including May 23, 2024;

3. The deadline for Herret to file a reply to Trustee's response to the Motion shall be extended through and including May 30, 2024; and

4. This Stipulation may be executed in one or more counterparts, and facsimile or electronic signatures may be used in filing this document with the Court.

DATED: March 18, 2024

MARSHACK HAYS WOOD LLP

By: /s/ D. Edward Hays

D. EDWARD HAYS

ALINA MAMLYUK

Attorneys for Chapter 11 Trustee

RICHARD A. MARSHACK

DATED: March __, 2024

GASSMAN LAW

By: 

ERIC R. GASSMAN

Attorneys for

HERRET CREDIT CONSULTANTS

4855-7824-5551, v. 1

¹ Herret's counsel is unavailable for an earlier date in May 2024 as he is out of the Country.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
870 Roosevelt, Irvine, CA 92620.

A true and correct copy of the foregoing document entitled: **STIPULATION TO MODIFY BRIEFING SCHEDULE AND TO CONTINUE HEARING ON MOTION FOR ALLOWANCE OF ADMINISTRATIVE EXPENSE CLAIM FILED BY HERRET CREDIT CONSULTANTS [DK. NO 708]** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **March 20, 2024**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On , I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

DEBTOR – MAIL REDIRECTED TO TRUSTEE

THE LITIGATION PRACTICE GROUP P.C.
17542 17TH ST, SUITE 100
TUSTIN, CA 92780-1984

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **March 20, 2024**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

VIA PERSONAL DELIVERY:

PRESIDING JUDGE'S COPY

HONORABLE SCOTT C. CLARKSON
UNITED STATES BANKRUPTCY COURT
411 WEST FOURTH STREET, SUITE 5130 / COURTROOM 5C
SANTA ANA, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

March 20, 2024

Date

Layla Buchanan

Printed Name

/s/ Layla Buchanan

Signature

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): CONTINUED:

ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR)	Bradford Barnhardt	bbarnhardt@marshackhays.com, bbarnhardt@ecf.courtdrive.com, alinares@ecf.courtdrive.com
ATTORNEY FOR CREDITOR AFFIRMA, LLC and CREDITOR OXFORD KNOX, LLC	Eric Bensamochan	eric@eblawfirm.us, G63723@notify.cincompass.com
ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR)	Peter W Bowie	peter.bowie@dinsmore.com, caron.burke@dinsmore.com
ATTORNEY FOR CREDITOR SDCO TUSTIN EXECUTIVE CENTER, INC	Ronald K Brown	ron@rkbrownlaw.com
ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR)	Christopher Celentino	christopher.celentino@dinsmore.com, caron.burke@dinsmore.com
INTERESTED PARTY COURTESY NEF	Shawn M Christianson	cmcintire@buchalter.com, schristianson@buchalter.com
INTERESTED PARTY COURTESY NEF	Randall Baldwin Clark	rbc@randallbclark.com
ATTORNEY FOR DEFENDANT LISA COHEN and DEFENDANT ROSA BIANCA LOLI:	Leslie A Cohen	leslie@lesliecohenlaw.com, jaime@lesliecohenlaw.com; clare@lesliecohenlaw.com
INTERESTED PARTY COURTESY NEF	Aaron E. DE Leest	adeleest@DanningGill.com, danninggill@gmail.com; adeleest@ecf.inforuptcy.com
INTERESTED PARTY COURTESY NEF	Anthony Paul Diehl	anthony@apdlaw.net, Diehl.AnthonyB112492@notify.bestcase.com, ecf@apdlaw.net
ATTORNEY FOR INTERESTED PARTY NATIONAL ASSOCIATION OF CONSUMER BANKRUPTCY ATTORNEYS and INTERESTED PARTY NATIONAL CONSUMER BANKRUPTCY RIGHTS CENTER	Jenny L Doling	jd@jdl.law, dolingjr92080@notify.bestcase.com; 15994@notices.nextchapterbk.com; jdoling@jubileebk.net
ATTORNEY FOR CREDITOR CAROLYN BEECH	Daniel A Edelman	dedelman@edcombs.com, courtecl@edcombs.com
CREDITOR	Meredith Fahn	fahn@sbcglobal.net
ATTORNEY FOR CREDITOR VALIDATION PARTNERS LLC	William P Fennell	william.fennell@fennelllaw.com, luralene.schultz@fennelllaw.com; wpf@ecf.courtdrive.com; hala.hamm@fennelllaw.com; naomi.cwalinski@fennelllaw.com; samantha.larimer@fennelllaw.com
ATTORNEY FOR DEFENDANT CLEAR VISION LLC dba LIBERTY1 FINANCIAL	Marc C Forsythe	mcforsthe@goeforlaw.com, mforsthe@goeforlaw.com; dcyrankowski@goeforlaw.com
ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR)	Jeremy Freedman	jeremy.freedman@dinsmore.com, nicollette.murphy@dinsmore.com

ATTORNEY FOR CREDITOR HERRET CREDIT	Eric Gassman	erg@gassmanlawgroup.com, gassman.ericb112993@notify.bestcase.com
ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR)	Christopher Ghio	christopher.ghio@dinsmore.com , nicolette.murphy@dinsmore.com ; angelica.urena@dinsmore.com ; deamira.romo@dinsmore.com
ATTORNEY FOR CREDITOR AMY GINSBURG; CREDITOR KENTON COBB; and CREDITOR SHANNON BELLFIELD	Amy Lynn Ginsburg	efilings@ginsburglawgroup.com
ATTORNEY FOR DEFENDANT STRIPE, INC	Eric D Goldberg	eric.goldberg@dlapiper.com , eric-goldberg-1103@ecf.pacerpro.com
ATTORNEY FOR CREDITOR AFFIRMA, LLC; CREDITOR ANAHEIM ARENA MANAGEMENT, LLC; CREDITOR ANAHEIM DUCKS HOCKEY CLUB, LLC; and CREDITOR OXFORD KNOX, LLC	Jeffrey I Golden	jgolden@go2.law , kadele@ecf.courtdrive.com ; cbmeeker@gmail.com ; lbracken@wgllp.com ; dfitzgerald@go2.law ; golden.jeffreyi.b117954@notify.bestcase.com
ATTORNEY FOR CREDITOR DEBT VALIDATION FUND II, LLC; CREDITOR MC DVI FUND 1, LLC; and CREDITOR MC DVI FUND 2, LLC	Richard H Golubow	rgolubow@wghlawyers.com , jmartinez@wghlawyers.com ; svillegas@wghlawyers.com
ATTORNEY FOR CREDITOR UNITED PARTNERSHIPS, LLC	David M Goodrich	dgoodrich@go2.law , kadele@go2.law ; dfitzgerald@go2.law ; wggllp@ecf.courtdrive.com
ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR)	D Edward Hays	ehays@marshackhays.com , ehays@ecf.courtdrive.com ; alinares@ecf.courtdrive.com ; cmendoza@marshackhays.com ; cmendoza@ecf.courtdrive.com
ATTORNEY FOR CREDITOR CITY CAPITAL NY	Alan Craig Hochheiser	ahochheiser@mauricewutscher.com , arodriguez@mauricewutscher.com
ATTORNEY FOR CREDITOR DEBT VALIDATION FUND II, LLC; CREDITOR MC DVI FUND 1, LLC; and CREDITOR MC DVI FUND 2, LLC	Garrick A Hollander	ghollander@wghlawyers.com , jmartinez@wghlawyers.com ; svillegas@wghlawyers.com
ATTORNEY FOR CREDITOR SHARP ELECTRONICS CORPORATION	Brian L Holman	b.holman@musickeeler.com
INTERESTED PARTY COURTESY NEF	Richard L. Hyde	richard@amintalati.com
ATTORNEY FOR INTERESTED PARTY MERCHANTS CREDIT CORPORATION	Peter L Isola	pisola@hinshawlaw.com
ATTORNEY FOR CREDITOR, PLAINTIFF, and COUNTER- DEFENDANT OHP-CDR, LP and PLAINTIFF and COUNTER- DEFENDANT PURCHASECO 80, LLC	Razmig Izakelian	razmigizakelian@quinnemanuel.com
ATTORNEY FOR FIDELITY NATIONAL INFORMATION SERVICES, INC. DBA FIS	Sweeney Kelly	kelly@ksgklaw.com

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ATTORNEY FOR DEBTOR THE LITIGATION PRACTICE GROUP P.C.	Joon M Khang	joon@khanglaw.com
ATTORNEY FOR INTERESTED PARTY AD HOC CONSUMER CLAIMANTS COMMITTEE	Ira David Kharasch	ikharasch@pszilaw.com
ATTORNEY FOR DEFENDANT GALLANT LAW GROUP	Meredith King	mking@fsl.law, ssanchez@fsl.law;jwilson@fsl.law
ATTORNEY FOR COMMITTEE OF UNSECURED CREDITORS	Nicholas A Koffroth	nkoffroth@foxrothschild.com, khoang@foxrothschild.com
ATTORNEY FOR DEFENDANT MARICH BEIN, LLC	David S Kupetz	David.Kupetz@lockelord.com, mylene.ruiz@lockelord.com
INTERESTED PARTY COURTESY NEF	Christopher J Langley	chris@slclawoffice.com, omar@slclawoffice.com;langleycr75251@notify.bestcase.com;ecf123@casedriver.com;john@slclawoffice.com
ATTORNEY DEFENDANT OPTIMUMBANK HOLDINGS, INC	Matthew A Lesnick	matt@lesnickprince.com, matt@ecf.inforuptcy.com;jmack@lesnickprince.com
ATTORNEY FOR DEFENDANT CONSUMER LEGAL GROUP, P.C.; DEFENDANT LGS HOLDCO, LLC; INTERESTED PARTY CONSUMER LEGAL GROUP, P.C.; and INTERESTED PARTY LIBERTY ACQUISITIONS GROUP INC	Daniel A Lev	daniel.lev@gmlaw.com, cheryl.caldwell@gmlaw.com;dlev@ecf.courtdrive.com
ATTORNEY FOR INTERESTED PARTY REVOLV3, INC.	Brittney Leyva	bleyva@mayerbrown.com, 2396393420@filings.docketbird.com;KAWhite@mayerbrown.com;ladoCKET@mayerbrown.com
INTERESTED PARTY COURTESY NEF ADVERSARY PROCEEDING #: 8:23-AP-01148-SC	Marc A Lieberman	marc.lieberman@flpllp.com, safa.saleem@flpllp.com,addy@flpllp.com
ATTORNEY FOR CREDITOR PHILLIP A GREENBLATT, PLLC	Michael D Lieberman	mlieberman@lipsonneilson.com
ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR)	Yosina M Lissebeck	Yosina.Lissebeck@Dinsmore.com, caron.burke@dinsmore.com
ATTORNEY FOR CREDITOR FUNDURA CAPITAL GROUP	Mitchell B Ludwig	mb1@kpclegal.com, kad@kpclegal.com
INTERESTED PARTY AND ATTORNEY	Daniel S March	marchlawoffice@gmail.com, marchdr94019@notify.bestcase.com
ATTORNEY FOR CREDITOR and DEFENDANT GREYSON LAW CENTER PC, CREDITOR and DEFENDANT HAN TRINH; and CREDITOR and DEFENDANT PHUONG (JAYDE) TRINH	Kathleen P March	kmarch@bkylawfirm.com, kmarch3@sbcglobal.net,kmarch@sbcglobal.net
ATTORNEY FOR CREDITOR DAVID ORR	Mark J Markus	bklawr@bklaw.com, markjmarkus@gmail.com;markus.markj.r112926@notify.bestcase.com

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CHAPTER 11 TRUSTEE	Richard A Marshack (TR)	pkraus@marshackhays.com, rmarshack@iq7technology.com;ecf.alert+Marshack@titlexi.com
ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR)	Laila Masud	lmasud@marshackhays.com, lmasud@ecf.courtdrive.com;lbuchanan@marshackhays.com;alinasares@ecf.courtdrive.com
ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR)	Sarah S. Mattingly	sarah.mattingly@dinsmore.com
INTERESTED PARTY COURTESY NEF	William McCormick	Bill.McCormick@ag.tn.gov
ATTORNEY FOR US TRUSTEE	Kenneth Miskin	Kenneth.M.Miskin@usdoj.gov
INTERESTED PARTY COURTESY NEF	Byron Z Moldo	bmoldo@ecjlaw.com, amatsuoka@ecjlaw.com,dperez@ecjlaw.com
ATTORNEY FOR CREDITOR ADP, INC	Glenn D. Moses	gmoses@venable.com, cascavone@venable.com;ipmalcolm@venable.com;jadelgado@venable.com
ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR)	Jamie D Mottola	Jamie.Mottola@dinsmore.com, jhanawalt@ecf.inforuptcy.com
INTERESTED PARTY COURTESY NEF	Alan I Nahmias	anahmias@mbn.law, jdale@mbn.law
INTERESTED PARTY COURTESY NEF	Victoria Newmark	vnewmark@pszjlaw.com
ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR)	Jacob Newsum-Bothamley	jacob.bothamley@dinsmore.com, angelica.urena@dinsmore.com;deamira.romo@dinsmore.com
ATTORNEY FOR US TRUSTEE	Queenie K Ng	queenie.k.ng@usdoj.gov
CREDITOR	Israel Orozco	israel@iolawcorp.com
ATTORNEY FOR COMMITTEE OF UNSECURED CREDITORS	Keith C Owens	kowens@foxrothschild.com, khoang@foxrothschild.com
ATTORNEY FOR DEFENDANT OPTIMUMBANK HOLDINGS, INC.	Lisa Patel	patel@lesnickprince.com, jmack@lesnickprince.com;jnavarro@lesnickprince.com
ATTORNEY FOR CREDITOR WELLS MARBLE AND HURST, PLLC	Michael R Pinkston	rpinkston@seyfarth.com, jmcdermott@seyfarth.com,sfocalendar@seyfarth.com,5314522420@filings.docketbird.com,bankruptcydocket@seyfarth.com
ATTORNEY FOR DEFENDANT SCOTT JAMES EADIE	Douglas A Plazak	dplazak@rhlaw.com
ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR)	Tyler Powell	tyler.powell@dinsmore.com, jennifer.pitcock@dinsmore.com;rosetta.mitchell@dinsmore.com
ATTORNEY FOR DEFENDANT TOUZI CAPITAL, LLC and DEFENDANT ENGTAINING	Daniel H Reiss	dhr@lnbyg.com, dhr@ecf.inforuptcy.com
ATTORNEY FOR DEFENDANT CONSUMER LEGAL GROUP, PC	Ronald N Richards	ron@ronaldrichards.com, 7206828420@filings.docketbird.com

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ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR)	Vanessa Rodriguez	vanessa.rodriguez@dinsmore.com, angelica.urena@dinsmore.com
ATTORNEY FOR CREDITOR WELLS MARBLE AND HURST, PLLC	Kevin Alan Rogers	krogers@wellsmar.com
ATTORNEY FOR CREDITOR MARI AGAPE	Gregory M Salvato	gsalvato@salvatoboufadel.com, calendar@salvatolawoffices.com;jboufadel@salvatoboufadel.com ;gsalvato@ecf.inforuptcy.com
ATTORNEY FOR CREDITOR AZZURE CAPITAL LLC and CREDITOR HI BAR CAPITAL LLC	Olivia Scott	olivia.scott3@bclplaw.com
ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR)	Jonathan Serrano	jonathan.serrano@dinsmore.com
ATTORNEY FOR RANDALL BALDWIN CLARK ATTORNEY AT LAW PLLC	Maureen J Shanahan	Mstotaro@aol.com
ATTORNEY FOR CREDITORS UNITED PARTNERSHIPS, LLC and MNS FUNDING LLC	Paul R Shankman	PShankman@fortislaw.com, info@fortislaw.com
ATTORNEY FOR INTERESTED PARTY MORNING LAW GROUP, PC	Zev Shechtman	zs@DanningGill.com, danninggill@gmail.com;zshechtman@ecf.inforuptcy.com
ATTORNEY FOR US TRUSTEE	Leslie Skorheim	leslie.skorheim@usdoj.gov
ATTORNEY FOR CREDITOR PIONEER FUNDING GROUP, LLC	Adam D Stein-Sapir	info@pfilc.com
ATTORNEY FOR DEFENDANT BANKUNITED, N.A.	Howard Steinberg	steinbergh@gtlaw.com, pearsallt@gtlaw.com;NEF-BK@gtlaw.com;howard-steinberg-6096@ecf.pacerpro.com
ATTORNEY FOR CREDITOR ALTERYX, INC.	Andrew Still	astill@swlaw.com, kcollins@swlaw.com
ATTORNEY FOR CREDITOR RANDALL BALDWIN CLARK ATTORNEY AT LAW PLLC and INTERESTED PARTY RANDALL BALDWIN CLARK	Michael R Totaro	Ocbkatty@aol.com
US TRUSTEE	United States Trustee (SA)	ustpreion16.sa.ecf@usdoj.gov
ATTORNEY FOR WITNESS BRADFORD LEE 8:23-ap-01046-SC	William J Wall	wwall@wall-law.com
ATTORNEY FOR CREDITOR and DEFENDANT AZZURE CAPITAL LLC and CREDITOR HI BAR CAPITAL LLC	Sharon Z. Weiss	sharon.weiss@bclplaw.com, raul.morales@bclplaw.com, REC_KM_ECF_SMO@bclplaw.com
ATTORNEY FOR CREDITOR DEBT RELIEF GROUP, LLC	Johnny White	JWhite@wrslawyers.com, jlee@wrslawyers.com

4882-6225-4254